



Order Filed on May 6, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY (NEWARK)
Caption in Compliance with D.N.J. LBR 9004-2(c) Robertson, Anschutz, Schneid, Crane & Partners, PLLC 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number: 973-575-0707 Attorneys For Secured Creditor
Shauna Deluca, Esq. (SD-8248)
In Re: Michael S Weston, Debtor.

Case No.: 18-21762-RG


Chapter: 13

Judge: Rosemary Gambardella

**CONSENT ORDER REGARDING TREATMENT OF POST-PETITION ARREARS
PURSUANT TO FORBEARANCE AGREEMENT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: May 6, 2021


Honorable Rosemary Gambardella
United States Bankruptcy Judge

Page 2

Debtor: Michael S Weston

Case No.: 18-21762-RG

Caption of Order: Consent Order Regarding Treatment of Post-Petition Arrears Pursuant to Forbearance Agreement

THIS MATTER having come before the Court on the Debtor's Request to Forbear Mortgage Payments, by and through his counsel, Scott D. Sherman, and HSBC Bank USA, National Association as Trustee for Nomura Asset Acceptance Corporation, Alternative Loan Trust, Series 2007-2 ("Secured Creditor") the Secured Creditor on the Debtor's real property located at 11 Camelot Way, Parsippany, NJ 07054 (the "Property"), represented by Robertson, Anschutz, Schneid, Crane & Partners, PLLC, and the parties agreeing to the entry of this Order resolving repayment of forborne mortgage payments, and for good cause shown; it is ORDERED AND DECREED as follows:

1. Secured Creditor filed its Proof of Claim on August 9, 2018 as Claim 1-1. Pursuant to the Proof of Claim, the pre-petition arrears owed Secured Creditor are \$103,866.87.
2. On or about November 2, 2020 and February 12, 2021, Secured Creditor filed Notices of Request for Mortgage Forbearance Due to the Covid-19 Pandemic (See Docket No. 83 and 90). Pursuant to the Notices of Request for Mortgage Forbearances, the parties agreed to forbear post-petition obligations that would come due for one-hundred eighty (180) days from October 19, 2020 through and including April 18, 2021.
3. The current post-petition default which has resulted as a result of the Forbearance Agreement includes the November 1, 2020 through and including April 1, 2021 payment, less \$0.00 in suspense, for a total of \$20,680.44.
4. The amount of \$20,680.44 shall be capitalized into the Debtor's Chapter 13 Plan. Debtor must file a Modified Plan within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the Plan in accordance with this Order.
5. The Debtor shall commence ongoing post-petition payments in the amount of \$3,446.74 directly to Secured Creditor commencing on May 1, 2021. This amount is subject to change based on escrow and/or interest rate adjustments.
6. Secured Creditor shall retain its first mortgage lien on the Property and none of its rights are being modified.
7. The parties agree that this Consent Order in no way alters, amends, or invalidates any applicable bankruptcy remedies afforded to them.
8. Facsimile signatures shall be valid as original signatures and this Consent Order may be executed in counterparts.
9. This order shall be incorporated in and become part of any Order Confirming Plan in the herein matter.

Page 3

Debtor: Michael S Weston

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The undersigned hereby consent to the form and entry of the foregoing order.



Scott D. Sherman, Esq.

Attorney for Debtor

Date:

/s/ Shauna M. Deluca

Shauna M. Deluca, Esq.

Attorney for Secured Creditor

Date: April 27, 2021